

REMARKS

The Official Action dated September 8, 2004, has been received and its contents carefully noted. In view thereof, Applicant provides the following comments in order to clarify that which is presently set forth by Applicant's claimed invention and to clearly distinguish the present invention from the prior art cited by the Examiner. As previously, claims 1 and 2 are presently pending in the instant application.

With reference particularly to paragraph 3 of the Office Action, claims 1 and 2 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Japanese Patent Publication 2001018017 issued to Oshita in view of U.S. Patent No. 5,884,546 issued to Johnson. This rejection is respectfully traversed in that the combination proposed by the Examiner neither discloses nor suggests that which is presently set forth by Applicant's claimed invention.

As the Examiner can readily appreciate, the present invention is directed to a retainer device for a press punch which is capable of selectively changing the amount of projection of the punch whereby the amount of projection of the punch is increased when the punch is used for press working and the amount of projection of the punch is decreased when the punch is not used for press working. Specifically, the retainer device includes a punch holding body for holding the punch, a retainer block for moveable supporting the punch holding body so that the punch holding body is allowed to freely move between a used position of increasing the amount of projection of the punch and a non use position for decreasing the amount of projection of the punch as well as a cam which is so activated as to be drawn backwards and forwards wherein a pin is projectingly formed in either one of the cam and the punch holding body and either a groove or a guide slide aperture for the guiding of the pin is formed in the other of the cam and the punch holding body such that the punch holding body moves to the

used position when the cam executes either one of forward movement and backward movement and conversely, the punch holding body moves to the non use position when the cam executes the other movement.

In rejecting Applicant's claimed invention, the Examiner states that the Oshita reference which was known to the Applicant and was submitted for consideration by the Examiner in the Information Disclosure Statement filed July 24, 2003, discloses the invention substantially as claimed except for guide grooves or slotted apertures. The Examiner goes on to state that Johnson teaches guide grooves or slotted apertures (58 or 78) for the purpose of positively confining the movement of adjustable or locking mounting of the punch. The Examiner goes on to state that it would have been obvious to the ordinary artisan at the time of the instant invention to provide the device of Oshita with the grooves or slots as taught and suggested by Johnson in order to facilitate positive confined movement of the cam which adds another means of ensuring the desired movement.

However, it is respectfully submitted that the grooves or slotted apertures (58, 78) are composed of means for releaseably retaining the guide bushing 12 in the holding member 59, but are not related to the movement of adjustable or locking mounting of the punch as noted from col. 4, line 39 to col. 5, line 64. In the Johnson reference, when collar 40 is rotated with respect to the holding member 59 in order to move the guide bushing 12 to the intermediate member 45, the locking mechanism guide pin 72 moves to the groove 73 and moves down into the shorter leg 78 thereof. Accordingly, the locking pin 70 moves out of the holding member bottom 46 and the guide bushing 12 is forced out of the holding member 49. Clearly, this reference fails to disclose or suggest guide grooves or slotted apertures for the purpose of positively confining the movement of adjustable or locking mounting of the punch.


As noted hereinabove, in accordance with the present invention, the guide groove or guide slotted aperture, guides the pin such that the punch moves between the use position of increasing the amount of projection of the punch and the non-use position of decreasing the amount of projection thereof when the cam executes forward movement and backward movement. Accordingly, the guide groove or the guide slotted aperture is significantly different from the guide groove or the slotted apertures 58, 78 disclosed in Johnson. Accordingly, it is respectfully submitted that one of ordinary skill in the art would not combine the references in the manner suggested by the Examiner and even if such combination were made, the resultant device would not achieve that which is presently set forth by Applicant's claimed invention.

With respect to claim 2, this claim is directly dependent upon independent claim 1 and includes all the limitations thereof. Accordingly, it is respectfully submitted that claim 2 is likewise in proper condition for allowance.

Therefore, in view of the foregoing it is respectfully requested that the rejection of record be reconsidered and withdrawn by the Examiner, that claims 1 and 2 be allowed and that the application be passed to issue.

Should the Examiner believe a conference would be of benefit in expediting the prosecution of the instant application, he is hereby invited to telephone counsel to arrange such a conference.

Respectfully submitted,



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